THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.5326 of 2007

Between:

Polasani Naveen Vasista and another.

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PETITIONERS

and

The Superintendent of Police
Medak at Sanga Reddy
and three others.

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RESPONDENTS

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ORDER:

It is the case of the petitioners that they are the absolute owners and possessors of an extent of Ac.20-00 covered by Sy.Nos.36/A, 37/A, 38, 39 and 47 of Gopalpur village, Jagdevpur Mandal, Medak District, purchased from Korutla Agro Tech India Limited in the month of July, 2000. It is stated that there is a mango garden in the said land.

It is further stated that the 4th respondent also purchased an extent of Ac.60-00 from Korutal Agro Tech India Limited. The property purchased by the 4th respondent is different and distinct from that of the petitioners and there is no dispute with regard to their properties and boundaries.

It is further stated that the 4th respondent has been pressurizing the petitioner to sell the land to an extent of Ac.20-00 purchased by them in favour of the 4th respondent and he has been making certain attempts to interfere with the peaceful possession and enjoyment of the said property and, therefore, the petitioners filed O.S.No.71 of 2006 on the file of Senior Civil Judge, Siddipet, for perpetual injunction against the 4th respondent and others and the said court granted temporary injunction in I.A.No.295 of 2006 in O.S.No.71 of 2006, dated 05-05-2006, restraining the 4th respondent from causing interference with the peaceful possession and enjoyment of the suit schedule property.

Aggrieved by the same, the 4th respondent filed C.M.A.No.15 of 2006 on the file of IV Additional District Judge, Medak, and the same was dismissed through order, dated 17-01-2007.

Inspite of the said fact that the injunction granted by the civil court has been made absolute and confirmed by the Appellate Court, the 4th respondent started interfering with the peaceful possession and enjoyment of the suit schedule property and, therefore, the petitioners made representations, dated 21-02-2007, before the 2nd respondent and 05-03-

2007 before the 1st respondent, seeking necessary police protection.

I am of the opinion that the concerned Civil Court, which has granted interim injunction, is also empowered to issue necessary directions for providing necessary police protection. Therefore, it is open for the petitioners to approach the same Civil Court and seek necessary police protection to protect their property.

The writ petition is accordingly disposed of with a liberty to the petitioners to approach concerned civil court and seek necessary police protection. There shall be no order as to costs.

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15-03-2007

Note:
Issue C.C. in three days
(B/o)
Prv